

CALIFORNIA

CITY OF

# Palos Verdes Estates

September 13, 2010

Stefanie Hada  
Environmental Scientist  
Los Angeles Region Water Quality Control Board, TMDL Unit 2  
320 West 4<sup>th</sup> Street, Suite 200  
Los Angeles, California 90013

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CALIFORNIA REGIONAL WATER  
QUALITY CONTROL BOARD  
LOS ANGELES REGION

**Re: City of Palos Verdes Estates Comments to the Proposed Amendments to the Water Quality Control Plan – Los Angeles Region for the Santa Monica Bay Nearshore and Offshore Debris TMDL**

Dear Ms. Hada:

The City of Palos Verdes Estates (City) submits the following comments for the proposed Basin Plan Amendments (BPA) for the *Santa Monica Bay Nearshore and Offshore Debris Total Maximum Daily Load* (Debris TMDL) currently being considered by the California Regional Water Quality Control Board, Los Angeles Region (Regional Board).

## **1. TMDL Waste Load Allocation Implementation Measures for Plastic Pellets**

As found in the current Debris TMDL documents, the BPA identifies the City as being subject to the implementation measures, such as creating a Plastic Pellet Monitoring and Reporting Plan (PMRP) and monitoring storm drain system outfalls, required for the WLAs for plastic pellets. However, the City is not listed as a responsible party for the plastic pellet WLAs and does not have any industrial facilities that import, manufacture, process, store, recycle, or otherwise handle plastic pellets within its jurisdiction. Furthermore, the City does not have any major thoroughfares that are used for overland transportation and also limits the weight of commercial vehicles on the roads entering the City. Therefore, the City recommends that the Regional Board remove the responsibilities of the City regarding the management of plastic pellets from the Debris TMDL. Presented below, is supporting information for the above statements concerning the absence of industrial facilities and the nonexistence of major thoroughfares within the City's jurisdiction as well as the limiting of commercial vehicle weights.

### **I. Industrial Activities and Zoning Regulations**

The City recommends that the Regional Board eliminate the City's responsibility to meet the plastic pellet WLA implementation measures required under the Debris TMDL because no industrial activities are permitted within the City's jurisdiction and no industrial activities will be permitted in the future.

This is because all land use with the City's jurisdiction is limited to open space, residential, and commercial.

*i. No Existing Industrial Activities*

The City certifies that there are no businesses or industrial activities in the City that are associated with the Standard Industry Classification (SIC) codes involving plastic pellets including SIC codes: 282X, 305X, 308X, 39XX, 25XX, 3261, 3357, 373X, and 2893. Additionally, there are no industrial facilities with the term "plastic" in the facility or operator name, regardless of the SIC code, that may be subject to the WLA for plastic pellets.

*ii. Zoned Land Uses*

All development in the City is limited to four (4) land use zones.<sup>1</sup> These include:

- OS Zone: Open Space
- R1-Zone: Single Family Residential
- RM-Zone: Multi-Family Residential
- C Zone: Restricted Commercial

The Restricted Commercial Zone (C Zone) includes general retail stores, shops, barber shops, beauty salons, financial institutions, medical, dental, and optometry offices, professional offices, law offices and other general business offices, except those listed as a use requiring a conditional use permit, or as a prohibited use.

Conditional use permit businesses include restaurant, cafe, tea room, or other eating establishments, with or without outdoor dining facilities; bar or cocktail lounge located within five hundred feet of a residential district (R-1 or R-M); uses providing dancing, music, theatrical performances or other entertainment of any kind; uses entailing public assembly of one hundred persons or more; churches, schools and places of assembly; mixed commercial and residential uses; gasoline service stations, including minor mechanical repair; commercial parking lots; uses including liquor stores and others purveying alcoholic beverages located within five hundred feet of a residential district (R-1 or R-M); uses operating between the hours of ten p.m. and seven a.m.; any uses proposing video or similar electronic games; health and fitness center; real estate offices; and laundry and clothes cleaning agencies, provided that no dry cleaning shall be conducted on the premises.

Prohibited uses include **industrial and manufacturing uses requiring processing or assembly of components or goods**; video and amusement arcades; drive-thru restaurants; gasoline service station mini-markets; auto body repair shops; bowling alleys; mortuaries; cemeteries; movie theaters; any business or enterprise, whether or not operated for profit, intended to serve or which does serve as a means of distributing or providing marijuana for medical purposes as defined by the Compassionate Use Act, California Health & Safety Code Section 11362.5 et seq. ("medical marijuana dispensary"); massage parlors; provided, however, that an establishment at which massage services are provided by a physical therapist or chiropractor licensed by the state of California or by a massage technician licensed by the

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<sup>1</sup> Palos Verdes Estates Municipal Code: Title 18 Zoning Regulations. [www.codepublishing.com/ca/palosverdesestates/](http://www.codepublishing.com/ca/palosverdesestates/)

county of Los Angeles shall not be deemed a massage parlor; commercial car washes; truck terminals; dry cleaning facilities with a dry cleaning plant on the premises; salvage and recycling facilities; and tattoo parlors.

## **II. No Major Thoroughfares within the City's Jurisdiction**

Another factor that justifies the City's request for exclusion from the plastic pellet WLA implementation measures under the Debris TMDL is due to the fact that the City does not contain any major thoroughfares within its Jurisdiction that would be used for transporting plastic pellets. Additionally, the City limits the weight of commercial vehicles that can use Palos Verdes Drive West and Palos Verdes Drive North to 20,000 pounds; these two roads are the main entry points for the City.<sup>2</sup> This further limits the amount of commercial transportation that takes place within the City's Jurisdiction. Attachment 1 contains a map of the City showing the City's transportation network.

## **2. Recommend Actions**

The City, based on the above reasons, recommends that the Regional remove the responsibilities of the City for the plastic pellet WLA implementation measures required under the Debris TMDL. In summary, the following reasons justify this exclusion:

- There are no current industrial operations that import, manufacture, process, store, recycle, or otherwise handle plastic pellets within the City's jurisdiction;
- The City, by municipal code, limits all land use to open space, residential, and commercial. Therefore, there will be no new industrial development within the City's jurisdiction;
- The City does not have any major thoroughfares within its jurisdiction, which limits the transport of plastic pellets; and
- The City limits the weight of commercial vehicles to 20,000 pounds on the roads that serve as the main access points from the City thereby further limiting the transport of plastic pellets.

Therefore, the City again implores the Regional Board and its staff to approve this recommendation to remove the City's responsibilities for the plastic pellet WLA implementation measures required under the Debris TMDL.

If I can provide additional information, resolve questions, or provide additional clarification on this request, please contact me, or Ms. Kimberly Colbert, our contract environmental consultant, at (310) 257-2000.

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<sup>2</sup> Palos Verdes Estates Municipal Code: Title 10 Vehicles and Traffic, Chapter 10.60, Section 10.60.020.  
[www.codepublishing.com/ca/palosverdesestates/](http://www.codepublishing.com/ca/palosverdesestates/)

Ms. Stefanie Hada, Environmental Scientist  
Santa Monica Bay Marine Debris TMDL  
September 13, 2010

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Sincerely,

City of Palos Verdes Estates

A handwritten signature in black ink, appearing to read 'Allan Rigg', is positioned below the typed name.

Allan Rigg  
Director of Planning and Public Works  
AR:kc

Enclosures

CC: Dr. Eric Wu, Regional Board

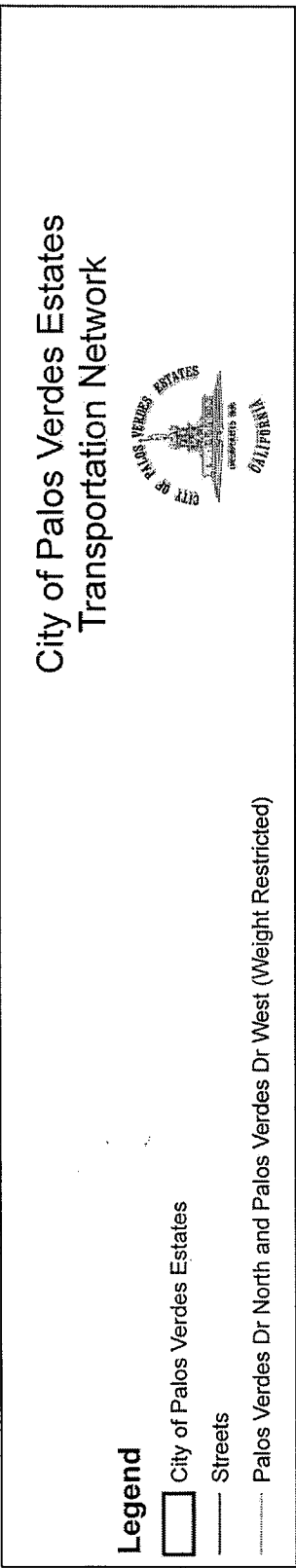


Figure 1 - City of Palos Verdes Estates transportation network.